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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/764,135	
	Filing Date	January 23, 2004	
	First Named Inventor	Yuji Tomiyama	
	Art Unit	3618	
	Examiner Name	Bridget D. Avery	
Total Number of Pages in This Submission	3	Attorney Docket Number	0388-040112

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Reply/Amendment - <u>Election with Traverse</u> <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Paul M. Reznick	Registration No. 33,059
Signature	<i>Paul M. Reznick</i>	
Date	April 6, 2006	

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{W0260904.1}

Application No. 10/764,135
Paper Dated April 6, 2006
In response to USPTO correspondence of 03/07/06
Attorney Docket No. 388-040112



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/764,135
Applicants : Yuji TOMIYAMA et al.
Filed : January 23, 2004
Title : WORKING VEHICLE HAVING A HOOD
Confirmation No. : 6069
Group Art Unit : 3618
Examiner : Bridget D. Avery
Customer No. : 28289

MAIL STOP AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

ELECTION WITH TRAVERSE

Sir:

This is in response to the Office Action dated March 7, 2006 in which the Examiner has required an election under 35 U.S.C. § 121 to one of the following species of the claimed invention:

- Species I - shown in Figs. 1-6 (relating to claims 1-3, 5 and 10-12);
- Species II - shown in Figs. 11 and 12 (relating to claims 1, 5 and 6-12)
- Species III - shown in Fig. 13 (relating to claims 1, 5 and 9-12); and
- Species IV - shown in Fig. 14 (relating to claims 1, 5 and 9-12).

The Examiner has required that Applicants elect a single disclosed species for prosecution on the merits. Applicants hereby elect with traverse Species I, shown in Figs. 1-6, for the reasons set forth below. Claims 1-3, 5 and 10-12 are readable on elected Species I. Further, claims 1, 5 and 10-12 are generic to Species I-IV.

Applicants respectfully traverse the Species Election Requirement on the grounds that Species I-IV relating to claims 1-3, 5-7 and 9-12 will not broaden the search obligation. The

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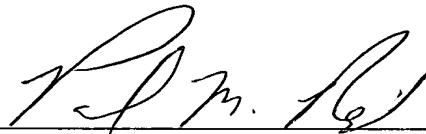
claims represented by elected Species I (Figs. 1-6) also include the majority of claims readable on Species II-IV (Figs. 11-13). The relatively minor variations in only one component (i.e., the rectifier member disposed on each side-face grill portion with a vent as in Species II and IV, or without a vent as in Species I and III) would not broaden the search obligation and, therefore, would not impose a serious burden on the Examiner. Accordingly, withdrawal of the Species Election Requirement is respectfully requested. Furthermore, the Examiner has not indicated that the embodiment shown Fig. 15 (i.e., claims 4 and 8), which is a slight modification of the embodiment shown in Figs. 1-6 (Species I), is a patentably distinct species. Therefore, even if this traversal is unsuccessful, claims 4 and 8 directed to Fig. 15 should also be examined with the elected claims. In view of the above, claims 1-5 and 8-12 should at least be examined in a single application.

Applicants hereby reserve the right to prosecute non-elected claims 4 and 6-9 by way of a divisional application filed at a later time. Pursuant to 37 C.F.R. § 1.48(b), there is no change in inventorship as a result of this election.

Respectfully submitted,

THE WEBB LAW FIRM

By



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